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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,877	01/16/2004	John Boyland	0403-4107	8433
27123	7590	03/02/2006	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			SHARP, JEFFREY ANDREW	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

[1] This action is responsive to Applicant's remarks/amendment filed on 12 December 2005 with regard to the Official Office action mailed on 12 September 2005.

Status of Claims

[2] Claims 1-21 are pending. Claims 5, 6, 8, 10, 11, and 16-19 are withdrawn from consideration.

Claim Objections

[3] Claims 13 and 15 were previously objected to because of informalities. Applicant has successfully addressed these issues in the amendment filed on 12 December 2005. Accordingly, the objection to claims 13 and 15 has been withdrawn.

Response to Arguments/Remarks

[4] Claims 1-4 were previously rejected under 35 U.S.C. 102(b) as being anticipated by Grube US-3,704,507.

Claims 1-4, 7, 9, and 12 were previously rejected under 35 U.S.C. 102(b) as being anticipated by Reeves US-5,368,426.

Claims 1-4, 7, 9, and 12 were previously rejected under 35 U.S.C. 102(b) as being anticipated by Winton, III US-5,489,175.

Claims 1-4, 7, 9, and 12 were previously rejected under 35 U.S.C. 102(b) as being anticipated by Williams US-5,674,023.

Claims 1-4, 7, 9, and 12 were previously rejected under 35 U.S.C. 102(b) as being anticipated by Marshall US-3,425,725.

Claims 1-4, 7, 9, and 12 were previously rejected under 35 U.S.C. 102(b) as being anticipated by Permoda US-4,601,621.

Claims 13-15 were previously rejected under 35 U.S.C. 103(a) as being obvious over Permoda US-4,601,621.

Claims 13-15 were previously rejected under 35 U.S.C. 103(a) as being obvious over Reeves US-5,368,426.

Claims 13-15 were previously rejected under 35 U.S.C. 103(a) as being obvious over Winton, III US-5,489,175.

Claims 13-15 were previously rejected under 35 U.S.C. 103(a) as being obvious over Williams US-5,674,023.

Claims 13-15 were previously rejected under 35 U.S.C. 103(a) as being obvious over Marshall US-3,425,725.

Applicant's arguments/remarks with regard to these rejections have been fully considered, but are moot in view of the new grounds of rejection necessitated by amendment.

[5] Claims 1-4, 7, 9, and 12 were previously rejected under 35 U.S.C. 102(b) as being anticipated by Palumbo US-3,970,399, and claims 13-15 were previously rejected under 35 U.S.C. 103(a) as being obvious over Palumbo US-3,970,399.

Applicant's arguments/remarks with regard to this reference have been fully considered, but are not persuasive for the reasons set forth in the below new grounds of rejection.

New Grounds of Rejection

Claim Rejections - 35 USC § 112

[6] The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

[7] Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, because there is insufficient antecedent basis for the limitation: "*the outer circumference of the housing cover*", therefore creating a structural gap between the elements.

Claim Rejections - 35 USC § 102

[8] The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

[9] Claims 1-4, 7, 9, 12, 20, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Grieser et al. US-5,641,240.

In short, Grieser et al. teach a Z-type fastener with a Z-shaped profile, used in a housing (94)/cover (92) assembly, said Z-type fastener having:

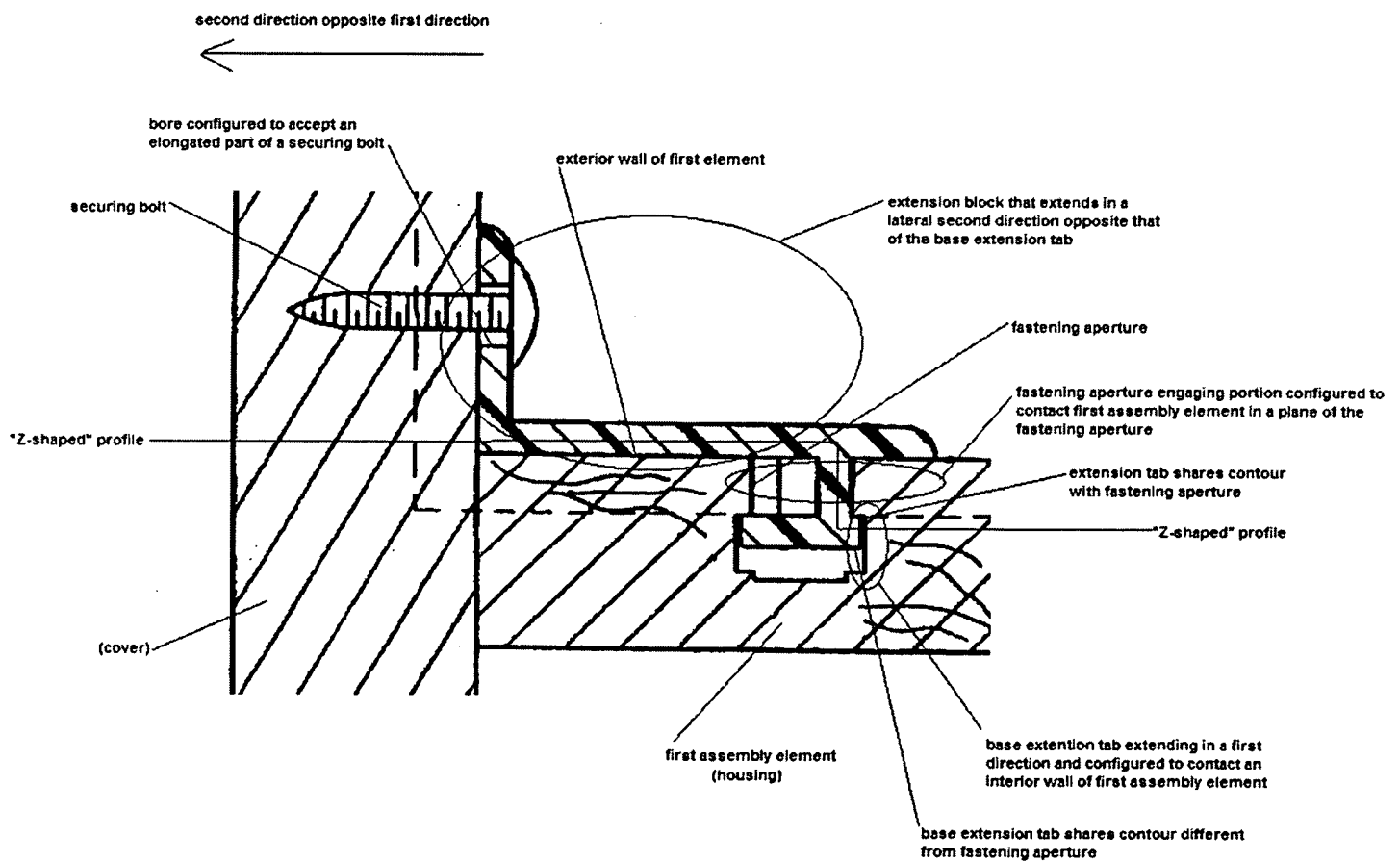
a base extension tab (76) being provided with a surface (72) configured to contact an interior wall of a fastening aperture (98) within said housing,

Art Unit: 3677

a fastening aperture engaging portion (64,80) (e.g., pressure application edge),
 an extension block/body (12,18,20,30) being provided with a surface (30) configured to contact an exterior wall of said housing;

wherein the extension block of the Z-type fastener has a bore (14) configured to accept an elongated part of a securing bolt/body (100), and

wherein the extension block extends in a lateral direction opposite that of the base extension tab.



Art Unit: 3677

[10] Claims 1-4, 12, 13, 14 (as it is understood), 15, 20, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Palumbo US-3,970,399.

In short, Palumbo teaches a Z-type fastener (10) with a Z-shaped profile, used in a housing (13)/cover (12) assembly (11), said Z-type fastener having:

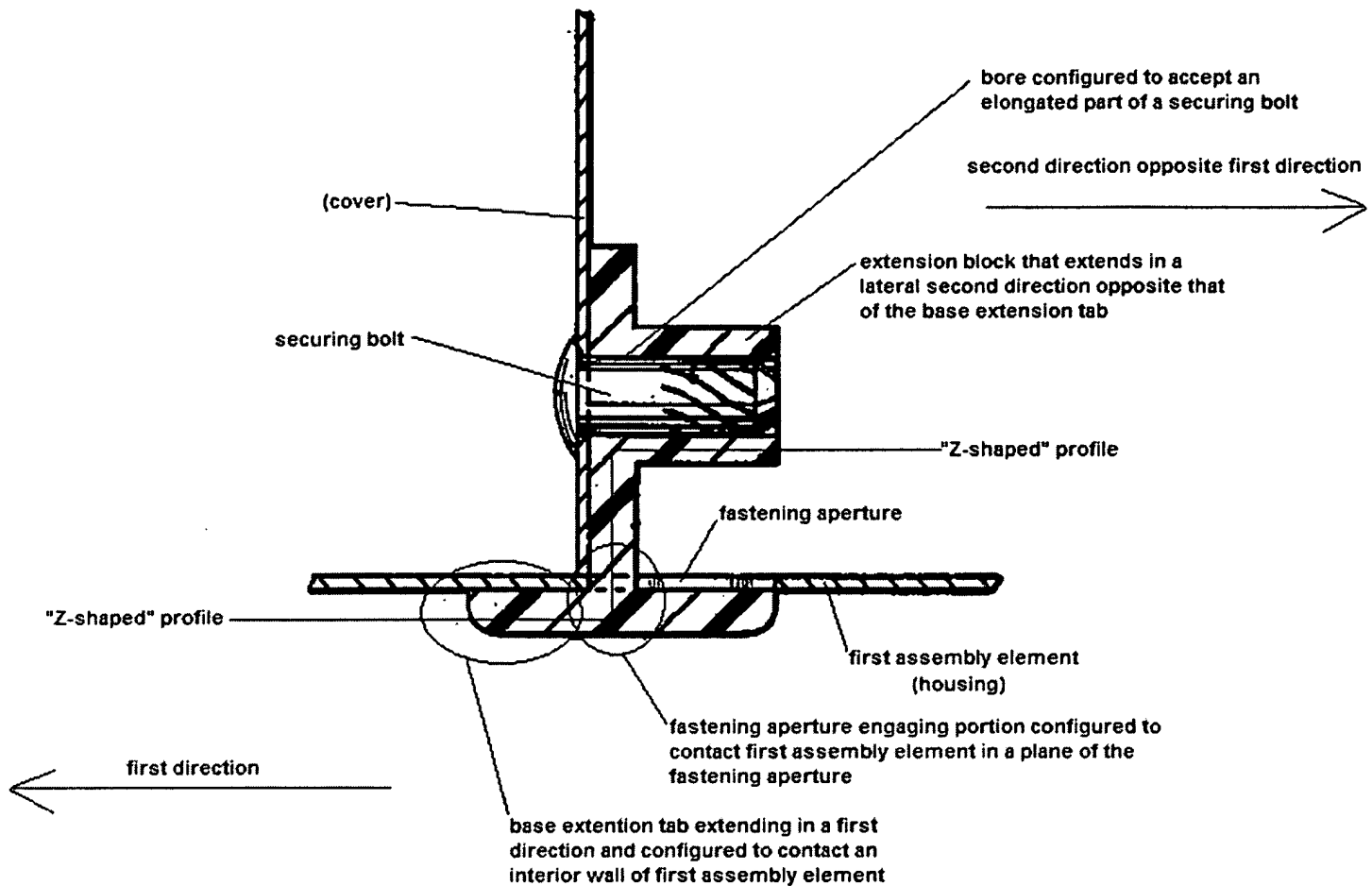
a base extension tab (20') being provided with a surface (15) configured to contact an interior wall of a fastening aperture (27) within said housing,

a fastening aperture engaging portion (18) (e.g., pressure application edge),

an extension block/body (17,23);

wherein the extension block of the Z-type fastener has a bore (24) configured to accept an elongated part of a securing bolt/body (32,33,34,35), and

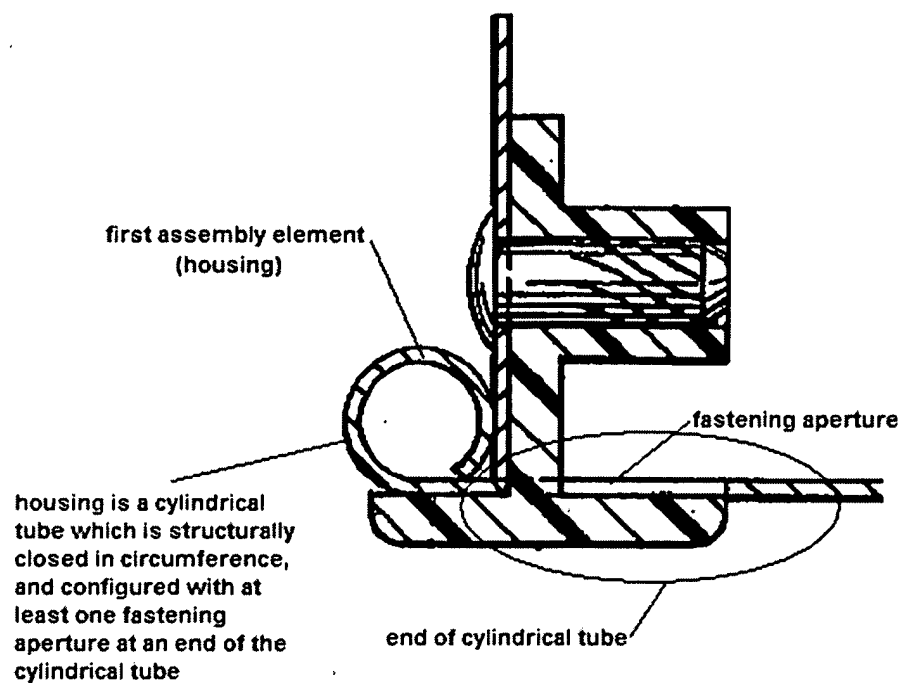
wherein the extension block extends in a lateral direction opposite that of the base extension tab.



Palumbo US-3,970,399

As for claims 13-15, Palumbo suggests that the housing may be a closed cylindrical tube having a fastening aperture at an end thereof. The Z-type fastener maintains a plurality of contact areas with the housing.

Art Unit: 3677



Palumbo US-3,970,399

Conclusion

[11] The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is as follows:

US-5,368,426

US-3,527,280

US-3,106,994

US-3,425,725

Art Unit: 3677

[12] Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

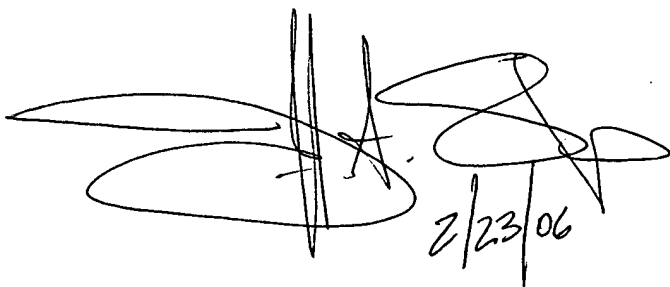

[13] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Sharp whose telephone number is (571) 272-7074. The examiner can normally be reached 7:00 am - 5:30 pm Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAS

A handwritten signature in dark ink, appearing to be 'JAS', is written over a date '2/23/06'. The signature is stylized with loops and a vertical line through the middle. The date is written in a simple, legible font.

JJ Swann
Supervisory Patent Examiner
Technology Center 3600